

Doc. #5471
ADOPTED

MEMORANDUM

MARCH 12, 1992

TO: BOSTON REDEVELOPMENT AUTHORITY AND
THEODORE S. CHANDLER, ACTING DIRECTOR

FROM: LINDA MONGELLI-HAAR, ASSISTANT DIRECTOR FOR NEIGHBORHOOD
PLANNING AND ZONING
GERRY KAVANAUGH, ASSISTANT DIRECTOR FOR INSTITUTIONAL
PLANNING AND DEVELOPMENT
MICHAEL HUNTER, DEPUTY DIRECTOR FOR INSTITUTIONAL
PLANNING AND DEVELOPMENT

SUBJECT: PUBLIC HEARING ON PETITION TO THE ZONING COMMISSION
REGARDING THE APPROVAL OF THE MISSION HILL INTERIM
PLANNING OVERLAY DISTRICT

SUMMARY: This memorandum, regarding a public hearing to be held on March 12, 1992 concerning a petition to the Zoning Commission for the establishment of an Interim Planning Overlay District in Mission Hill, requests that the Director be authorized to petition the Zoning Commission to adopt a text and map amendment to the Boston Zoning Code to establish the Mission Hill Interim Planning Overlay District.

Introduction

Boston was one of the first cities in America to establish a Zoning Code to protect residential neighborhoods from incompatible uses. Since its initial adoption, however, changes in the Code to reflect new and changing conditions did not take place in timely fashion, and the Zoning Code became inadequate and outdated for many of Boston's neighborhoods.

As a result, the Flynn administration and the Boston Redevelopment Authority, in the middle 1980s, initiated community planning processes throughout Boston's neighborhoods

to update the Code to reflect current conditions. The mechanism being applied to the rezoning of each of Boston's neighborhoods has been the Interim Planning Overlay District (IPOD), which provides interim controls while new permanent zoning is being studied.

Specifically, the Mayor's Office of Neighborhood Services (MONS) and BRA began holding public open meetings in 1985 and 1986 in Boston's neighborhoods to present the IPOD zoning process to area residents, to establish community planning processes, and to solicit input into the planning and rezoning of specific neighborhoods.

Community Process

In November, 1988, the MONS and BRA initiated an IPOD planning process in Mission Hill through the establishment of a 23 member Planning and Zoning Advisory Committee (PZAC). Since that time, the PZAC has been meeting bi-monthly with the MONS and BRA staff to discuss those issues critical to their neighborhood. The meetings not only addressed issues affecting the neighborhood as a whole, but also focused on problems unique to certain subareas.

In order for the neighborhood to maintain a high quality of life for its residents, the existing traffic and parking congestion, the juxtaposition of conflicting land uses, the revitalization of its major neighborhood commercial area, and the preservation of vital open spaces must be addressed. Of equally critical importance to the Mission Hill neighborhood is the

need for housing affordable to its residents and the protection of its established residential areas. There is also a need to establish appropriate height and density controls and to direct growth to areas where it can be accommodated.

The following is a summary of the issues identified and discussed during this first stage of the IPOD process:

- o Traffic and Parking. Traffic congestion and parking shortages in Mission Hill are attributable to its proximity to major transportation arteries, institutions and other heavy traffic and parking generators, in addition to inadequate parking requirements in the existing Zoning Code. Such congestion can be dramatically improved with comprehensive transportation master planning, transportation access planning associated with all new development, and adequate parking controls.
- o Housing. A shortage of affordable housing for Mission Hill residents exists, and can be addressed through zoning mechanisms which will encourage new housing production.
- o Density and Height. The lack of adequate density and height controls has resulted in development which has aggravated traffic and parking congestion, and has threatened the neighborhood's scale and character. New density and height controls will ensure that new buildings and development are compatible with the existing neighborhood's character.
- o Neighborhood Commercial Area. Strong and viable neighborhood commercial

areas are desirable in all of Boston's neighborhoods. Brigham Circle, Mission Hill's major commercial area, must be the focus of a comprehensive planning process so that it can adequately serve the needs of the community residents and act as a major activity center for the entire neighborhood. Pedestrian amenities, street trees and lighting, in addition to design guidelines and improved building facades and signage can significantly improve the quality of the area.

- o Industrial Development. Mission Hill has a significant area of industrial zoned land, much of it vacant or underutilized. This industrial land could provide important jobs to the Mission Hill community, and the development of such uses should be promoted as long as environmental and traffic hazards are adequately addressed.
- o Institutional Expansion. The New England Baptist Hospital and Wentworth Institute of Technology are located within the Mission Hill community. In addition, the Mission Hill community is located adjacent to the Longwood Medical Area, comprised of several of the largest and most prominent medical institutions in the world. The growth of these institutions must be managed such that the quality of life within the community is not negatively affected.
- o Open Space. Mission Hill is a densely populated community with a limited amount of open space. Existing open space resources must be preserved and new ones established in strategically located areas.
- o Urban Design. Mission Hill's older residential areas have strong and coherent architectural and landscape features. New buildings, including residential, commercial, and institutional, must be designed to enhance and protect Mission

Hill's existing built environment.

The above issues are critical to the establishment of an IPOD, and its individual elements have been designed to address those issues most crucial to the neighborhood.

Below is a brief summary of the individual elements proposed in the IPOD.

1. New Light Manufacturing Zone

Industrial uses that could be accompanied by environmental impacts and truck traffic are currently permitted as-of-right within the existing manufacturing zone. In Mission Hill, these areas are often bounded by residential uses.

- o The establishment of a new light manufacturing zone that permits light manufacturing uses which will maximize employment for Boston's residents and minimize adverse environmental effects and truck traffic will be studied during the IPOD period.

- o The light manufacturing zone will be mapped on portions of existing manufacturing or underutilized areas where such uses will not be in conflict with residential uses. Of specific interest is the Terrace Street area.

2. Height Standards

Height standards can direct the growth and density to be accommodated on particular sites and within specific areas.

- o In Mission Hill, height limits of thirty-five (35) feet have been established.

residential zones to control growth during the IPOD period.

- o Thirty-five or forty foot height standards have been established in local business, general business, and manufacturing zones, some of which are now unregulated.

3. Boulevard Planning Districts

Boulevard Planning Districts (BPD) are major arterials and cross streets that serve as primary access routes to all areas of the community and contain uses that provide vital services to the neighborhood. Their visual prominence and importance to the economy and transportation system of the community require special studies as a component of new permanent zoning.

- o The Mission Hill IPOD will include six BPDs: Huntington Avenue, Francis Street (west side), Parker Street, Tremont Street, South Huntington Avenue, and Heath Street.
- o Analyses for the BPDs will provide for zoning that: promotes quality urban design; encourages a mix of uses that promotes and sustains economic viability and residential stability; preserves open space and enhances the streetscape; protects historic structures; and provides adequate parking and transportation access.
- o Urban design guidelines specific to BPDs will be developed during the IPOD planning process.

4. Transportation and Parking Controls

Inadequate on-street and off-street parking supplies exist in most areas of Mission Hill for both residential and commercial uses. Truck traffic on local streets must be eliminated, short-term parking must be provided in neighborhood commercial areas, and increased parking demand in established residential areas must be controlled. New development must provide adequate vehicular access and off-street parking. To achieve these objectives, three transportation and parking elements shall be established through the IPOD planning process:

- o A Transportation Master Plan for the entire community;
- o A Transportation Access Plan for individual projects; and
- o An increase in Residential Parking Requirements.

Transportation Master Plan

- o A Transportation Master Plan will be developed to analyze current and projected access and parking demands, in addition to transportation improvement needs.
- o Truck traffic patterns will be analyzed and trucks will be routed outside of the residential areas.
- o Appropriate sites for neighborhood parking will be identified.

Transportation Access Plan

A Transportation Access Plan will be required of any applicant seeking a building permit for any development exceeding 25,000 square feet, for any proposed project with retail

uses exceeding 15,000 square feet, and for residential developments of 15 units or more. The Plan will consist of an impact assessment, in addition to mitigation and monitoring components.

- o The impact assessment component will identify and evaluate the impacts of the development on the City's transportation network.
- o The mitigation component will propose measures to minimize the transportation-related impacts of the development.
- o The monitoring component will describe provisions for periodic re-evaluation of the effectiveness of proposed mitigation measures.

Increased Residential Parking Requirements

- o Residential parking requirements will be increased to 1.5 spaces per unit for units of less than 800 square feet, 1.75 spaces for units between 800 and 1,200 square feet, and 2.00 spaces for units of more than 1,200 square feet.
- o Units sold or rented to elderly persons of low income will be required to provide 0.5 space per unit.

5. Open Space Plan

Mission Hill includes limited open space resources. With the population in the neighborhood having increased over the past decade without a commensurate increase in open space, there is a growing need for increased quality open space areas.

- o An open space plan will be developed during the IPOD planning period. It will

emphasize the geographic and functional links of open space to Mission Hill, its residents, and its existing open space system.

- o One or more new major open space sites will be defined in concert with the community planning process.

6. Institutional Master Plans

The New England Baptist Hospital and Wentworth Institute of Technology are located within the heart of the Mission Hill community. In addition, Mission Hill is located adjacent to the Longwood Medical Area, one of the most prominent medical areas in the world. Expansion of these institutions and related impacts is a major concern. Future institutional development must be planned within the context of the residential neighborhood.

- o Any institution in Mission Hill applying for a building permit and owning one acre or more of land will be required to submit an Institutional Master Plan for Boston Redevelopment Authority review and approval.
- o A Master Plan must set forth a statement of development concepts and planning objectives, as well as the scale, uses, and character of the proposed development. The master plan must project at least five years into the future.
- o The specific elements to be included in an institution's Master Plan will be determined through a "scoping" process which identifies the issues related to a particular project.
- o Institutions within the Longwood Medical Area must present master plans and

proposed projects to the BRA and Mission Hill community for review prior to seeking necessary approvals.

7. Urban Design Guidelines

Mission Hill's urban design character incorporates a mix of architectural styles, but has a generally consistent scale with predominantly 2 1/2 story buildings and traditional Boston triple deckers and brick townhouses. Design standards must be developed to protect the character of residential areas and historic structures, upgrade commercial centers and guide future development.

- o Design Guidelines will specifically address: Boulevard Planning Districts, Brigham Circle and Tremont Street, the preservation of historic structures, the development of infill housing sites, and other future development.
- o Design Guidelines will incorporate parking and access standards, landscaping, building design, open space, signage control, and controls for historic preservation

8. Special Study Areas

In addition to the above elements, four Special Study Areas have been established. The areas targeted for special study are as follows:

- o Francis Street - The west side of Francis Street is comprised of residential uses but is bounded by the Longwood Medical Area. A comprehensive land use analysis will be conducted during the IPOD planning process to develop zoning measures which will protect this existing residential area from institutional

expansion.

- o Brigham Circle - Brigham Circle and Tremont Street comprise Mission Hill's major commercial business district. A comprehensive land use and urban design analysis will be completed during the IPOD planning process to develop zoning mechanisms to regulate commercial and business growth, provide quality urban design standards, and regulate traffic and parking demand and capacity.
- o Parker Street - The Parker Street area is comprised of a mix of industrial and residential uses, in addition to vacant and underutilized land. A comprehensive land use analysis will be undertaken to develop zoning standards to protect and enhance existing residential areas, provide for new housing development in appropriate locations, and encourage industrial and other economic development where appropriate.
- o New England Baptist Site - The New England Baptist site is comprised of a parking lot and several parcels with vacant housing structures located in the heart of the Mission Hill neighborhood which, if inappropriately developed, could cause substantial impacts upon the Mission Hill community. A comprehensive land use analysis will be undertaken to develop zoning controls to encourage development which is compatible with the needs of the Mission Hill community.

Conclusion

These proposed zoning regulations, to be developed during the IPOD planning process, will clearly define a balanced pattern of growth that must be achieved in Mission Hill in order to preserve it as a thriving residential neighborhood for the benefit of its residents and the City as a whole.

An appropriate vote follows:

VOTED: That the Director is hereby authorized to petition the Zoning Commission to adopt a text amendment and a map amendment to the Zoning Code in substantial accord with the petitions submitted to the Authority on March 12, 1992, to establish an Interim Planning Overlay District (IPOD) for Mission Hill. In making such authorization, the Authority expresses its support of the purposes of the Mission Hill IPOD and its stated goals and objectives to protect existing residential areas from adverse effects of industrial, commercial and institutional uses; to provide for compatible adjacent uses and for buffer zones between conflicting uses; to regulate building height and massing; to create, retain, and enhance open space, parks, and recreation areas; and to develop appropriate density and parking requirements. The zoning controls designed to support such goals will clearly define a balanced pattern of growth that must be achieved in Mission Hill in order to preserve it as a thriving residential neighborhood.

Text Amendment Application No.
Boston Redevelopment Authority
Mission Hill Interim Planning Overlay
District

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows:

By inserting, after Article 27M, for a period of twelve months from the effective date of this amendment, the following article:

ARTICLE 27M

MISSION HILL INTERIM PLANNING OVERLAY DISTRICT

SECTION 27M-1. Statement of Purpose. The purposes of this article are to implement interim planning standards and to facilitate the comprehensive planning and rezoning of the Mission Hill neighborhood; to manage the future development of Mission Hill for the use and benefit of the inhabitants of Mission Hill and Boston; to provide a predictable, clear, and understandable process for the public review of new development; to preserve and enhance the Mission Hill neighborhood; to discourage the displacement of residents; to encourage the most appropriate use of land; to lessen congestion in the streets; to provide for adequate parking facilities; to provide adequate light and air; to prevent overcrowding of land; to promote residential development that is affordable to all segments of the community; to promote mixed-income residential development; to manage institutional growth; to ensure compatibility of new buildings with existing buildings in terms of siting, scaling, massing and architectural design; to promote land uses which provide jobs for the city's residents; to preserve, enhance, and create open space; to promote the public safety through lighting which is conducive to positive safety standards; to provide community input concerning licensing and permitting processes for commercial uses; and to encourage the peaceable enjoyment of the city's amenities by all residents.

SECTION 27M-2. Declaration of Need for Interim Zoning. Interim zoning in the Mission Hill IPOD Study Area is necessary to provide the proper balance between competing land uses and economic and environmental factors. Characteristics of existing zoning that render it inappropriate include its failure to: provide for opportunities for appropriately-sited residential, commercial and mixed-use development which is beneficial to the community; discourage the inappropriate intermingling of industrial and manufacturing uses with residential, commercial,

cultural, and public open space uses; encourage cohesive neighborhood business districts; regulate building heights to protect views and vistas; regulate demolition; provide for adequate pedestrian and vehicular circulation and access; provide adequate parking controls; provide for the creation and rehabilitation of housing that is affordable to all segments of the community; prevent dense development that exacerbates the lack of open space and inhibits access to light and air; provide for zoning designations which result in the appropriate siting of land uses; preserve and enhance open space; protect historic structures and historic districts; provide standards for the rehabilitation and redevelopment of buildings in order to enhance the public safety; and preserve the architectural integrity of Mission Hill.

SECTION 27M-3. Definitions. For the purposes of this article only, the following terms shall have the meanings indicated.

1. "Adjusted Income" is defined as it is in 24 Code of Federal Regulations Section 813.102 (1986), as amended, or as set forth in regulations that are adopted in accordance with Section 27-25, if any, which regulations then shall govern.
2. "Affordable" means, in the case of an owner-occupied dwelling unit, requiring the expenditure by a Low-Income, Moderate-Income, or Upper-Moderate-Income Household for mortgage payments, insurance, real estate taxes, and condominium or cooperative fees of not more than thirty percent (30%) of its Adjusted Income to occupy the unit; and, in the case of a renter-occupied dwelling unit, requiring the expenditure by a Low-Income, Moderate-Income, or Upper-Moderate-Income Household for rent of not more than thirty percent (30%) of its Adjusted Income to occupy the unit.
3. "Annual Income" is defined as it is in 24 Code of Federal Regulations Section 813.106 (1986), as amended, or as set forth in regulations adopted in accordance with Section 27-25, if any, which regulations then shall govern.
4. "Applicant" means any person or entity having a legal or equitable interest in a Proposed Project which is subject to the provisions of this article, as set forth in Section 27-5, or the authorized agent of any such person or entity.
5. "Interim Planning Permit" means a permit granted pursuant to Section 27M-3 for a Proposed Project subject to the provisions of this article.
6. "Low-Income Household" means a household whose Annual Income does not exceed fifty percent (50%) of the Median Gross Income of households in the Boston Standard Metropolitan Statistical Area.

7. "Median Gross Income" is defined as it is in 24 Code of Federal Regulations Section 813.102 (1986), as amended, or as set forth in regulations that are adopted in accordance with Section 27-25, if any, which regulations then shall govern.
8. "Mission Hill IPOD" means the regulations imposed by this article.
9. "Mission Hill IPOD Study Area" means the area defined in Section 27__-4.
10. "Moderate-Income Household" means a household whose Annual Income does not exceed eighty percent (80%) of the Median Gross Income of households in the Boston Standard Metropolitan Statistical Area.
11. "Neighborhood Safety Objective" means the objective of creating an environment free from criminal activity and hazardous elements.
12. "Parking Use" means Use Item Nos. 58 and 59, Section 8-7, Table A.
13. "Proposed Project" means the erection, extension, or substantial demolition of any structure or the change of use or occupancy of any structure or land, for which a building or use permit is required.
14. "Residential Uses" means Use Item Nos. 1, 1A, 2, 3, 4, 5, 6, 7, 8, 8A, and 10, Section 8-7, Table A.
15. "Substantial Demolition" means the demolition of a building, but does not include interior demolition or the demolition of a portion of a building or structure, such as a porch, fire escape, fence, balcony or chimney, or any other structure listed in Section 2-1(46).
16. "Underlying Zoning" means all zoning regulations, with the exception of this article, which are contained in this Code.
17. "Zoning Relief" means any variance, conditional use permit, exception zoning map or text amendment, or any other relief granted by the Zoning Commission or Board of Appeal.

SECTION 27M-4. Physical Boundaries. This article is applicable only in the Mission Hill IPOD Study Area, which consists of the area depicted as the Mission Hill Interim Planning Overlay District on "Map 6 Roxbury" of the series of maps entitled 'Zoning Districts - City of Boston' dated August 15, 1962, as amended, and shown as Area "B" on the map attached as Appendix A to this article.

SECTION 27M-5. Applicability. Any Proposed Project within the Mission Hill IPOD Study Area is subject to the provisions of this article unless otherwise exempt pursuant to subsection 1 or 2 of this section.

1. The following Proposed Projects within the Mission Hill IPOD Study Area are exempt from the requirement of a grant of an Interim Planning Permit; provided that any such Proposed Project is in compliance with the Interim Height Standards, contained in Section 27M-11, and the Interim Parking Controls, contained in Section 27M-12:
 - (a) Any Proposed Project consisting solely of Residential Uses of not more than three (3) dwelling units in a Single Family Residential (S), General Residential (R), or Apartment Residential (H) district, provided such Proposed Project does not create any additional dwelling units; or
 - (b) Any Proposed Project consisting solely of Residential Uses of not more than three (3) dwelling units above the first story in a Local Business (L) district, provided such Proposed Project does not create any additional dwelling units.
2. The following Proposed Projects within the Mission Hill IPOD Study Area are exempt from the provisions of this article.
 - (a) Any Proposed Project for which application to the Inspectional Services Department for a building or use permit has been made prior to the first notice of hearing before the Zoning Commission for adoption of this article and for which no Zoning Relief is required.
 - (b) Any Proposed Project for which appeal to the Board of Appeal for any Zoning Relief has been made prior to the first notice of hearing before the Zoning Commission for adoption of this article, provided that such Zoning Relief thereafter is granted by the Board of Appeal pursuant to such appeal.
 - (c) Any Proposed Project or site for which a planned development area development plan has been approved by the Boston Redevelopment Authority and the Zoning Commission prior to the first notice of hearing before the Zoning Commission for adoption of this article, whether or not such planned development area development plan thereafter is modified or amended.

SECTION 27M-6. Zoning Regulations in Effect; Conflict Provisions. The Mission Hill IPOD and Underlying Zoning together constitute the zoning regulations for the Mission Hill IPOD Study Area. Where conflicts exist between the provisions of

the Mission Hill IPOD and Underlying Zoning, the more restrictive provisions shall govern. Upon expiration of this article, the Underlying Zoning shall be the sole set of zoning regulations for the Mission Hill IPOD Study Area.

SECTION 27M-7. General Land Use Objectives for the Study Area. The general land use objectives for the Mission Hill IPOD Study Area are as follows:

To revise or establish land use controls to limit inappropriate increases in density and protect the character of the existing residential fabric; to retain and develop affordable housing; to encourage appropriate development of vacant land or underutilized parcels for housing; to encourage abandoned institutional uses to become residential uses; to minimize traffic and parking congestion in residential neighborhoods; to reinforce the existing character of low-scale residential development throughout Mission Hill; to protect residential areas from commercial and institutional expansion; to encourage owner-occupied housing; to preserve the maintenance and the character of the McLaughlin Playground, including the vistas it provides; to protect historically and architecturally significant structures and districts in residential and commercial areas; to develop parking controls which limit on-street parking and encourage the creation of underground and structured parking, where appropriate; to improve Brigham Circle, Mission Hill's principal neighborhood business district and to encourage pedestrian activity and street life which promotes neighborhood oriented businesses; to improve the quality of the Roxbury Crossing area; to develop sign controls and design guidelines which complement the historic architectural features and character of the business district; to encourage retail and/or office uses at the street level with residential uses above in the business district; to improve traffic flow and reduce congestion in the business district through parking and truck access and loading controls; to preserve and maintain existing open space through open space zoning and to encourage the creation and adequate distribution of accessible open space for active or passive recreational use; to regulate building height and massing in order that structures do not obstruct views; to thoroughly review existing manufacturing and R-8 zoning districts for compatibility with current residential patterns; to establish design guidelines and performance standards for manufacturing uses; to encourage a better process for citizen notification of Board of Appeal cases; to require appropriate notification to abutters of proposals to demolish existing residences and structures; and to encourage the effective enforcement of the Boston Zoning Code.

SECTION 27M-8. Special Study Areas. Four areas are established as Special Study Areas because of their special vulnerability to development which has the potential to alter significantly and negatively the character and the pattern of land uses in the surrounding areas. In contrast to other areas within the Mission Hill IPOD Study Area, the essential character of these areas is not firmly established, and there is a significant potential for inappropriate changes to occur. In these areas, individual

comprehensive planning studies are needed to identify appropriate land uses before any new zoning regulations can be implemented. Any new development in these areas shall be subjected to careful scrutiny. The boundaries of the Parker Street Special Study Area, the Brigham Circle Special Study Area, the Francis Street Special Study Area, and the New England Baptist Site Special Study Area are shown on Appendix B.

1. Brigham Circle. This Special Study Area is a major retail area of the community, includes an important component of the Mission Hill housing stock and residential population, and is bounded by the Longwood Medical Area. The Mission Hill neighborhood is vulnerable to unmanaged institutional expansion and retail development which may impact the residential neighborhood in terms of parking, vehicular circulation, and quality of life. In this Special Study Area, planning studies are necessary to provide for appropriate buffering between conflicting uses, to consider the future mix of uses in Brigham Circle, to mitigate any and all impacts of incompatible growth, to define appropriate uses, heights, and densities, and to improve its urban design character.
2. Parker Street. This Special Study Area extends from Parker Street to Heath and New Heath Streets, to Columbus Avenue and Tremont Street, and to Prentiss Street. The character of this area is not firmly established and there is a possibility for inappropriate development to occur here if comprehensive planning is not undertaken to identify appropriate usage of this area. For this reason, a comprehensive planning study of the Parker Street Special Study Area, inclusive of adjacent Columbus Avenue, is needed to carefully review uses, heights, and densities appropriate to this area.
3. Francis Street. This Special Study Area extends from Vining Street to Huntington Avenue, including an important component of the Mission Hill residential community. This residential component of the Mission Hill community is vulnerable to the impacts of institutional expansion. In this Special Study Area, planning studies are necessary to provide for appropriate measures to prohibit institutional expansion on its western side, protect the Francis Street residential community, and mitigate any and all impacts of institutional growth.
4. New England Baptist Site. This Special Study Area is comprised of a parking lot owned and operated by the New England Baptist Hospital, and four vacant housing structures owned by the hospital. The future long term use of such land is not firmly established and a comprehensive planning analysis of the site is necessary to carefully review the uses, heights, and densities appropriate to this area.

SECTION 27M-8(a). Longwood Medical Area. The Longwood Medical Area, as shown on Appendix A, is a part of the Mission Hill community. The Medical Area and its growth affects the entire Mission Hill residential community.

The role of community participation in determining appropriate land uses and development for the Longwood Medical Area is critical to the quality of life in the Mission Hill community. The Mission Hill Planning and Zoning Advisory Committee shall continue to play an active role in land use planning and development review through advising city agencies on land use and development decisions for the area. In order to encourage community participation, the Boston Redevelopment Authority shall request that each Institutional Master Plan be reviewed by the Mission Hill Planning and Zoning Advisory Committee, or its successor organization. The community review of such Master Plans shall include the review of Proposed Projects within the Institutional Master Plan in addition to the review of impacts and benefits of such Proposed Projects and Master Plan.

Comprehensive planning studies are necessary to carefully review and analyze potential allowed uses, heights, design guidelines, density, massing, parking, and floor area ratios appropriate for this area for incorporation into zoning for the Longwood Medical Area which recognizes its need to grow and develop, provides for community participation which will result in the mitigation of the impacts of such growth in addition to the provision of public benefits, and requires the approval of a Master Plan prior to the development of proposed projects.

For the purpose of this Section 8(a), the boundaries of the Longwood Medical Area are shown as Area A on Appendix A attached to this Article.

SECTION 27M-9. Boulevard Planning Districts. Major arterials and cross streets that serve as primary access to all of the community and that contain uses that provide services to the community are designated as Boulevard Planning Districts (BPDs). Planning in these districts is necessary to protect their visual coherence and importance to the economy and the transportation system of the community. Analyses required to formulate new zoning regulations for the BPDs shall be accomplished through special studies conducted by the Boston Redevelopment Authority with assistance from the Mission Hill Planning and Zoning Advisory Committee (PZAC). The purposes of the revised zoning will be to: (a) protect and promote the BPDs as gateways to the community where appropriate, and as mixed-use commercial centers (b) encourage a mix of uses that promotes and sustains economic viability and residential stability by providing employment opportunities, services for residents and visitors, and affordable and market-rate housing; (c) preserve open space and historic structures; (d) address transportation and parking problems and identify appropriate sites for neighborhood public parking within commercial areas; (e) establish design guidelines and signage controls to enhance the aesthetic character and economic viability of the BPDs; and (f) encourage development of bicycle and pedestrian paths and amenities. Any Proposed Project within the Mission Hill IPOD Study Area on a lot

adjacent to a BPD will be reviewed according to the land use objectives of the subdistrict within which the project is located and according to the objectives for the BPD that are formulated during the interim planning period. The following arterials and streets, or portions thereof, within the Mission Hill IPOD Study Area, as shown on Appendix C, are hereby designated as BPDs:

- a. Huntington Avenue
- b. South Huntington Avenue
- c. Tremont Street
- d. Heath Street
- e. Francis Street (west side)
- f. Parker Street

SECTION 27M-10. Neighborhood Business District. In Mission Hill, most retail uses occur along the Tremont Street and Huntington Avenue corridors in the Brigham Circle area. A variety of retail uses are concentrated in this area which serve local residents. This area has the greatest potential to become more pedestrian-oriented. Planning for this area, or Neighborhood Business District (NBD), is necessary: to define its proper boundaries; to protect its integrity and viability; to prevent the decline of neighborhood services and its associated job loss; to address the problems of insufficient parking, difficult pedestrian and vehicular circulation, inappropriate signage, and insufficient pedestrian amenities; to improve the streetscape appearance; to improve the quality of the Roxbury Crossing area; and to undertake comprehensive planning studies as defined in Section 27M-8 as necessary to address the impacts of institutional development.

The Mission Hill IPOD Study Area includes the following Neighborhood Business District, as shown on Appendix D, to be examined in conjunction with the Boulevard Planning District studies:

- a. Brigham Circle

SECTION 27M-11. Interim Height Standards. Proposed Projects within the Mission Hill IPOD Study Area are governed by the interim height standards set forth in Table 1 of this section, except that the interim height standards for any Proposed Project described in an Institutional Master Plan approved in accordance with Section 27M-13, shall be as set forth in such approved Master Plan.

TABLE 1

**Mission Hill Interim Planning Overlay District
Interim Height Standards**

<u>Existing Underlying Zoning Designation</u>	<u>Underlying Zoning Height Controls</u>		<u>Interim Height Standards</u>	
	<u>Stories</u>	<u>Feet</u>	<u>Stories</u>	<u>Feet</u>
R-.8	3	35	3	35
H-1	none	none	3	35
H-2	none	none	3	35
H-3	none	none	3	35
L-.5	2-1/2	35	2-1/2	35
L-1	3	35	3	35
L-2	none	none	3	35
B-1	3	40	3	40
M-1	2-1/2	35	2-1/2	35
M-2	none	none	2-1/2	35

SECTION 27M-12. Interim Parking Controls. Within the Mission Hill IPOD Study Area, the following interim parking controls apply to any Proposed Project that includes a use included in Table A of Section 8-7 under Use Item Nos. 1, 1A, 2, 3, 4, 5, 6, 7, 7A, 7B, 8, 8A, 9, 10, 11, 12, 13, 13A, 14, or 15:

- For any dwelling unit(s) created after the effective date of this article, the following off-street parking formula applies unless otherwise provided by this section:

<u>Gross Floor Area of Dwelling Unit</u>	<u>Off-Street Parking Spaces Required for Each Unit</u>
less than 800 sq.ft.	1.50
800-1,200 sq.ft.	1.75
over 1,200 sq.ft.	2.00

2. Proposed Projects for elderly persons of low income shall provide 0.5 off-street parking space per dwelling unit if such housing project is constructed under Chapter 121B of the General Laws of Massachusetts or the United States Housing Act of 1937, as amended.

SECTION 27M-13. Institutional Master Plan. A Proposed Project for the erection or extension of a structure, which new structure or extension exceeds 10,000 square feet to be used for an "Institutional Use" within the Mission Hill IPOD Study Area shall be granted an Interim Planning Permit only if such Proposed Project is in conformity with an Institutional Master Plan approved pursuant to this section. For the purposes of this section, an Institutional Use is defined as any use included in Use Item Nos. 11, 12, 13, 13A, 14, 16A, 18, 20, 20A, 22, 23, 24, and 25, Section 8-7, Table A.

1. An Institutional Master Plan shall project at least five years into the future and at a minimum shall contain the following: a statement of the Applicant's present and future needs for academic, service, research, housing, patient care, and parking facilities, and a description of the uses, scale, and character of proposed or potential development.
2. An Institutional Master Plan shall include a Parking Management and Mitigation Plan.
3. Specific elements to be included in an Institutional Master Plan shall be determined through a scoping process by the Boston Redevelopment Authority and the community which identifies the issues related to a Proposed Project.
4. Within five (5) days after submission of the Applicant's Institutional Master Plan ("IMP") to the Boston Redevelopment Authority, the Boston Redevelopment Authority shall: (a) transmit a copy of the IMP to the Mission Hill PZAC; (b) publish notice of such submission in one or more newspapers of general circulation in the city, such notice to state the name of the Applicant and the street address of the Proposed Project (or other information sufficient to identify its location); and (c) make copies of the IMP available for review by the public. Within sixty (60) days of such notice, public comments, including the comments of public agencies, shall be transmitted in writing to the Boston Redevelopment Authority. The Mission Hill PZAC shall hold a public meeting to allow public review and comment on the IMP within sixty (60) days of the first publication of notice of submission to the Mission Hill PZAC. Within ninety (90) days of publication of such notice, the Mission Hill PZAC shall submit a report and recommendations to the Boston Redevelopment Authority regarding its review of the IMP. If the Mission Hill PZAC has not held a public meeting

within sixty (60) days of publication of such notice or made its recommendation within ninety (90) days of publication of such notice, the Boston Redevelopment Authority may render its decision without such meeting having been held or such recommendation having been made.

5. Based on public comments, the Mission Hill PZAC's recommendation, and the Boston Redevelopment Authority's review of the Applicant's IMP, the Boston Redevelopment Authority after public hearing either shall approve the IMP, conditionally approve the IMP, or disapprove the IMP. The Boston Redevelopment Authority shall not approve the Applicant's IMP unless the Boston Redevelopment Authority finds: (a) that the IMP conforms to the general plan for the City as a whole; and (b) that, on balance, nothing in the IMP will be injurious to the neighborhood or otherwise detrimental to the public welfare. The Board of Appeal shall not grant an Interim Planning Permit and the Building Commissioner shall not grant a building, use or occupancy permit for a Proposed Project which includes an Institutional Use subject to the provisions of this Section 13 unless the Director of the Boston Redevelopment Authority has issued a certification that such Proposed Project is in conformity with an IMP approved pursuant to this Section.

All amendments to an IMP that has been approved pursuant to this Section shall be reviewed by the BRA which shall determine whether the proposed amendment is a minor amendment which complies with the original intent of the approved IMP or is a substantial amendment. The procedure for substantial amendment of an IMP shall be the same procedure for initial approval of the IMP as set forth above. The Board of Appeal shall not grant an Interim Planning Permit and the Building Commissioner shall not grant a building, use or occupancy permit for a Proposed Project which includes an Institutional Use subject to the provisions of this Section 13 unless the Director of the BRA has issued a certification that such Proposed Project is in conformity with an amended IMP which has been approved pursuant to this Section, specifically regarding the requirements of subsection 4.

SECTION 27M-14. Transportation Master Plan. A Transportation Master Plan for the Mission Hill IPOD Study Area shall be developed by the Boston Redevelopment Authority, working in conjunction with the Boston Transportation Department, and the Mission Hill PZAC and shall include the following:

1. Determination of off-street parking requirements for all Proposed Projects which include residential and/or commercial uses.
2. Specification of parking and access controls to be implemented in commercial areas.

3. Identification of appropriate sites for commercial parking within commercial areas.
4. Analysis of public transit access locations relative to siting and size of any potential or actual Proposed Project.
5. Determination by the Boston Transportation Department of specified truck routes that avoid residential streets.
6. Recommendations concerning possible improvements to traffic circulation.

SECTION 27M-15. Transportation Access Plan. A Transportation Access Plan is required of any Applicant seeking a building permit for any Proposed Project exceeding 25,000 square feet, any Proposed Project that includes a retail use listed in Use Item Nos. 34, 34A, 35, or 36, Section 8-7, Table A, in excess of 15,000 square feet, any Proposed Project that includes a Residential Use and comprises fifteen (15) or more dwelling units, any Proposed Project that includes a Parking Use, or any Proposed Project for an Institutional Use subject to the provisions of Section 27M-13. The Plan shall consist of impact assessment, mitigation, and monitoring components as follows:

1. The impact assessment component shall identify and evaluate the impact of the Proposed Project on the city's transportation network.
2. The mitigation component shall propose measures to minimize the transportation-related impact of the Proposed Project.
3. The monitoring component shall describe provisions for periodic re-evaluation of the effectiveness of proposed mitigation measures.

SECTION 27M-16. Light Manufacturing Subdistrict. During the interim planning period, establishment of a subdistrict for Light Manufacturing shall be considered by the Boston Redevelopment Authority, the Economic Development and Industrial Corporation of Boston, and the Mission Hill PZAC. The district, if designated by the Zoning Commission, would provide for a limited number of allowed light manufacturing uses compatible with adjacent residential areas, which uses will provide job opportunities for the community.

SECTION 27M-17. Open Space Plan. During the interim planning period, an Open Space Plan shall be developed by the Boston Redevelopment Authority, in conjunction with the Mission Hill PZAC, to accompany revised zoning and to guide future development. The Open Space Plan will emphasize historic, geographic, and functional links to historic Mission Hill, to recreation areas within Mission Hill, and to the existing open space and park system. The Open Space Plan also shall identify appropriate locations and opportunities for new open space sites in Mission Hill.

SECTION 27M-18. Design Guidelines. During the interim planning period, design guidelines shall be developed by the Mission Hill PZAC and the Boston Redevelopment Authority. The purpose of these guidelines will be to promote residential and commercial neighborhood design for future development that will enhance the urban design of the community and reinforce the positive scale, character, massing, and architectural elements that exist in the Mission Hill IPOD Study Area. Design guidelines shall, at a minimum, address building design, open space and landscaping, security, historic structures and signage, and within the Boulevard Planning Districts, any additional elements specific to those areas.

SECTION 27M-19. Demolition Controls. To protect the Mission Hill IPOD Study Area until the enactment of permanent zoning regulations, substantial demolition within the Mission Hill IPOD Study Area shall require an Interim Planning Permit in accordance with the provisions of this article and Section 27M-3; provided, where it is determined by the Commissioner of Inspectional Services that the demolition of a structure will remove a building in hazardous, unusable, or irreparable condition in accordance with applicable provisions of Sections 123 and 124 of the Building Code, an Interim Planning Permit shall not be required for demolition of a structure. Applications for an Interim Planning Permit for substantial demolition of a structure within the Mission Hill IPOD Study Area shall be subject to provisions for review and recommendation to the Board of Appeal by the Boston Redevelopment Authority, which shall solicit the recommendation of the Mission Hill PZAC. During the Mission Hill IPOD planning period, provisions for review by the Boston Redevelopment Authority and the Mission Hill PZAC of applications for demolition permits shall be formulated and proposed for enactment as permanent regulations. The Board of Appeal shall grant an Interim Planning Permit for demolition of a structure only if it finds that the demolition will not be detrimental to the historical or architectural character of the Mission Hill IPOD Study Area.

SECTION 27M-20. Neighborhood Safety Objective. Any Proposed Project within the Mission Hill IPOD Study Area shall be reviewed by the Boston Redevelopment Authority and the Mission Hill PZAC as to its effect on the Neighborhood Safety Objective in the Mission Hill IPOD Study Area. The design, massing, lighting, density, and use of the Proposed Project shall be examined, as well as any other required State or City licensing or permitting requirements. Such review shall consider the extent to which a Proposed Project enhances the Neighborhood Safety Objective of the Mission Hill community.

SECTION 27M-21. Standards for Issuance of Interim Planning Permit The Board of Appeal shall grant an Interim Planning Permit for a Proposed Project subject to the provisions of this Article only if it finds that: (a) the benefits to the community outweigh the burdens imposed; and (b) the Proposed Project is in substantial accord with the following:

1. The land use objectives of Section 27M-7;

2. The planning studies conducted pursuant to Sections 27M-8, 27M-9, and 27M-10;
3. The interim height standards set forth in Section 27M-11;
4. The interim parking controls set forth in Section 27M-12;
5. The institutional master plan requirements set forth in Section 27M-13;
6. The transportation access plan requirements set forth in Section 27M-15; and
7. Any other provision of this article.

In issuing an Interim Planning Permit, the Board of Appeal shall provide in its written decision specific reasons why the Proposed Project is in substantial accord with the above standards.

SECTION 27M-22. Enforcement. The Building Commissioner shall not issue a building, demolition, or use permit for any Proposed Project located in the Mission Hill IPOD Study Area subject to the provisions of this article, other than those exempt pursuant to Section 27M-5, unless the Board of Appeal has approved an Interim Planning Permit for the Proposed Project in accordance with Section 27M-19 and Section 27M-3.

SECTION 27M-23. Sunset Provision; Subsequent Amendments. This article shall be in effect for fourteen (14) months from the effective date of this amendment, unless otherwise extended pursuant to Section 27M-2. While in effect, this article or portions of this article may be repealed or superseded by subsequent amendments to this article or by amendments to the Underlying Zoning as to which notice of a public hearing before the Zoning Commission is published after the effective date of this article. Upon expiration of the period for which this article is in effect, Underlying Zoning, as amended, alone shall constitute the zoning regulations for the area governed by this article.

SECTION 27M-24. Timetable for Rezoning. Submission of proposed zoning changes by the Boston Redevelopment Authority to the Zoning Commission shall be completed within twelve (12) months from the enactment of the Mission Hill IPOD, and notice of the Zoning Commission hearing on any petition to adopt proposed zoning changes shall be published within fourteen (14) months of the enactment of the Mission Hill IPOD; provided, failure of the Boston Redevelopment Authority to submit proposed zoning changes to the Zoning Commission within twelve (12) months shall not invalidate any provision of the Mission Hill IPOD or Underlying Zoning.

MISSION HILL FOOD

SECTION 27M-25. **Regulations.** The Boston Redevelopment Authority may promulgate regulations to administer this article.

SECTION 27M-26. **Severability.** The provisions of this article are severable, and if any such provision or provisions shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this article.

Petitioner: Boston Redevelopment Authority

By: Theodore S. Chandler, Acting Director

Address: City Hall / 9th Floor

Boston, MA 02201

Tel No.: 722-4300, ext. 4329 or 4330

Date: _____

APPENDIX A
MISSION HILL IPOD



APPENDIX B
SPECIAL STUDY AREAS



A. Brigham Circle

B. Parker Street

C. Francis Street

D. New England Baptist
Hospital

APPENDIX C
BOULEVARD PLANNING DISTRICTS



APPENDIX D

BRIGHAM CIRCLE / NEIGHBORHOOD BUSINESS DISTRICT



[illegible]

